

# Committee on Resources

## Subcommittee on Fisheries Conservation, Wildlife and Oceans

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### Statement

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TESTIMONY  
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H.R. 2798, THE PACIFIC SALMON RECOVERY ACT  
SUBCOMMITTEE ON FISHERIES, CONSERVATION, WILDLIFE AND OCEANS  
COMMITTEE ON RESOURCES  
UNITED STATES HOUSE OF REPRESENTATIVES  
MAY 18, 2000

Mr. Chairman and Members of the Subcommittee, my name is Tim Smith. I am appearing today as a Member of the Board of Supervisors of Sonoma County, California. I appreciate the opportunity to appear today on behalf of the Board of Supervisors and the Sonoma County Water Agency to provide testimony regarding H. R. 2798, The Pacific Salmon Recovery Act. I would like to thank Representative Thompson for introducing this bipartisan legislation and for continuing his long-standing commitment to achieving federal, state and local cooperation in salmon and steelhead recovery efforts. I would also like to commend other Representatives from our part of California, such as Representatives Woolsey, Herger, Miller, Doolittle, Pombo and Dooley, for cosponsoring this important legislation.

As you know, Mr. Chairman, there is a high level of effort being dedicated to salmonid recovery in most of California and the remainder of the Pacific Coast. Throughout the region, governments and private interests are modifying activities in significant and comprehensive ways to reduce or eliminate impacts on salmonid or salmonid habitat in order to recover salmon and steelhead from the edge of extinction. We are learning to develop innovative ways to conserve and protect salmonid species and the habitat on which these species depend, but federal help is needed and warranted.

As a local government involved in a number of salmon and steelhead recovery efforts at the state and local level, Sonoma County and the Sonoma County Water Agency believes very strongly that the salmonid of the Pacific Northwest are a national treasure and, as such, the federal government should contribute to the cost of restoring these species. We are pleased that the Administration and Congress made available under existing authority, a first installment of financial assistance for pacific salmonid recovery for FY2000. We believe that similar financial assistance will be needed in FY2001 and a number of subsequent fiscal years to ensure that sufficient resources are available for this important initiative. We are very pleased that H.R. 2798 authorizes \$200 million in appropriations for pacific salmonid recovery in the four states of Alaska, Washington, Oregon and California. We recommend that the authorization be made an annual authorization for each of the next six fiscal years. Pacific salmonid restoration will require a multi-year commitment of federal, state and local resources. We are also pleased that H.R. 2798 is based on the concept of cooperation between federal, state and local governments and non-government organizations rather than recovery through rigid regulatory programs.

H. R. 2798 would authorize the Secretary of Commerce to provide financial assistance to state and tribal governments in our four state region for salmonid habitat restoration projects in coastal waters and upland drainages. The legislation sets forth a program for salmonid recovery efforts focusing on a cooperative salmon and steelhead recovery effort by the federal government, the states of Alaska, Washington, Oregon

and California, as well as tribal governments located in those states. Specifically, the bill provides for an authorization of 200 million dollars in matched federal funds for projects designed to restore salmonid populations and the habitat on which they depend. The program would be implemented through a series of Memoranda of Understanding (MOU) between the federal government and qualified states or tribes outlining the types of projects to be funded. Each MOU would provide funding priority for projects that provide a direct and demonstrable benefit to salmonid and their habitat.

As a unit of local government that has worked hard to develop and implement a broad-based, cooperative salmonid recovery program in four coastal states along the Pacific Coast, the Sonoma County Water Agency strongly supports the goals of H.R. 2798. During the past three years, we have worked to develop a cooperative program among state and local governments in the four state region. We helped organize an initiative, the Pacific Salmonid Recovery Initiative, built around the principles of (1) funding habitat-based projects that directly aid in salmonid recovery (2) a minimum amount of administrative overhead and (3) level of federal funding that is uniform for each of the four states in the region. These concepts were the cornerstones of efforts by the governors of Alaska, Washington, Oregon and California to request and secure federal funds. These principles were also the basis of the President's salmonid recovery initiative contained in the President's Budget Request for both FY2000 and FY2001 and funded by Congress in FY2000. We encourage Congress to provide at least equal funding for the pacific salmonid recovery initiative in FY2001. The principles, which have been supported by elected officials of both political parties and by a bipartisan group of Members of Congress, are found in H. R. 2798 and are the basic building blocks of the legislation.

As I have noted, we support H. R. 2798. We support the Thompson legislation because it would significantly move the federal salmonid recovery effort, and our region, toward a recovery program based on the three principles stated above. The bill would provide an authorization framework for project funding and would specify the intent of Congress regarding the use of federal funding for salmonid restoration projects. It represents an opportunity for clear congressional direction regarding the types of projects that are eligible for, or receive priority consideration for, federal funding. We commend Representative Thompson and the bipartisan cosponsors of the legislation for providing a limitation on administrative overhead and requiring that habitat-based projects be given a priority in the federal MOUs required by the bill. In addition, we believe that equal funding among the four states will go a long way toward avoiding imbalance in project funds. Congressional control regarding appropriations has also been maintained.

We also believe that there are areas in the bill that would benefit from clarification and where improvements would strengthen the bill. Primarily, we believe there are several areas where the bill should be amended to state more clearly the role of local governments. We believe that the legislation would create a stronger restoration program if a more direct requirement for on-the-ground, habitat restoration projects were included in the description of projects eligible for funding in Section 3 of the bill. Section 3 could also be strengthened by providing that units of local government, including water districts, resource conservation districts and other such special purpose districts, are entities eligible to receive funds under the bill. Local governments are on the front line of salmonid recovery and can provide the backbone for coordinated local salmonid recovery efforts. Local governments are able to carry-out matching fund requirements and are responsive for local concerns. Including local governments as "eligible entities" would strengthen the bill's focus on funding projects that are habitat based. In fact, we recommend that the legislation provide that a certain minimum percentage of state pass through funding be allocated each year to every county government included in the pacific salmonid recovery area. A predictable and annual flow of revenues to county governments would allow these governments to develop and finance continuing salmonid recovery efforts, even when the enthusiasm of local rate payers and tax payers for salmonid recovery activities may wane in the face of conflicting local funding demands.

In addition to strengthening the role for local governments, we believe the listing of eligible activities can be further strengthened by requiring a more explicit emphasis on habitat restoration and conservation projects. One positive change would be to add a requirement that the projects receiving funding must

provide a direct and demonstrable benefit to the listed salmoides or their habitat. This provision is contained in the requirements for a Memorandum of Understanding pursuant to Section 3 (b) of the bill. However, the requirement is missing from the specific project requirements contained in Section 3 (c), which focuses primarily on watershed planning. Watershed planning and recovery are very important elements in habitat conservation. Our water agency is very active in watershed-based conservation for such areas as the Russian River watershed. At the same time, the bill could be improved by stating in Section 3 (c) a priority for habitat improvements that go beyond planning alone. Finally, we believe that the MOU requirement can be met within 180 days. The time frame of one year contained in the bill is unnecessarily long.

Also, the requirements for state and local "matches" are not clear in the bill. Our agency accepts and supports a requirement for matching contributions in the salmonid recovery program, but the level of the match and the nature of what qualifies as a match for purposes of this legislation should be stated clearly. We believe that the bill would benefit from a provisions stating the number of years for which the program is authorized.

Finally, Mr. Chairman, we would like to raise one more important issue that is related directly to the ability of states and local governments to act quickly to restore threatened and endangered salmonid. Often, a restoration activity requires a permit from the National Marine Fisheries Service, the Environmental Protection Agency or the United States Army Corps of Engineers or all of these and other agencies before the activity can be undertaken. Obtaining this permit may become an enormously time consuming and costly adventure. The work load of these agencies along the Pacific Coast and the complex considerations that must be examined and weighed by the personnel of these agencies before a judgment on a permit can be made often are overwhelming. Unfortunately, we raise this concern based on our own recent experience without also having a firm recommendation for addressing this problem. We encourage the subcommittee, however, Mr. Chairman, to determine if additional personnel should be authorized and appropriated for these agencies or other streamlining actions should be taken in this legislation to address this growing problem. It would be ironic and tragic if salmonid recovery is thwarted by the very rules and regulations that were intended to protect salmonid and their habitat!

Mr. Chairman, we believe enactment of salmonid recovery funding legislation would be an important step toward restoration of this resource. We will continue to do our part in every way possible to restore salmonid in our portion of the salmonid habitat. H. R. 2798 authorizes a better approach to salmonid recovery than mere reliance on federal regulation. Working together, we can make our best efforts, as local, state and federal governments, to restore a treasured resource. Enactment of H. R. 2798 would strengthen and improve the federal contribution to this effort. We urge enactment of this important legislation.

Again, I thank you for the opportunity to testify here today and would be pleased to answer any questions you may have. We look forward to working with you, Mr. Chairman, the members of this subcommittee and the bipartisan cosponsors of H.R. 2798 for the enactment of this important legislation.

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